



United States Government

NATIONAL LABOR RELATIONS BOARD

Region 8

1240 East 9th Street - Room 1695

Cleveland, OH 44199-2086

Telephone: (216) 522-3715

Fax: (216) 522-2418

www.nlrb.gov

January 23, 2008

Thomas A. Boone
5458 Ridgewood Street
Lorain, OH 44055

Re: North Shore Commercial Door
Case No. 8-RD-2084

Dear Mr. Boone:

In the above-captioned case, you filed a petition seeking decertification of the certified collective bargaining representative under Section 9 of the National Labor Relations Act. It has been carefully investigated and considered.

I determined in a related unfair labor practice case, 8-CA-37327, that the Employer violated Section 8(a)(1) and (5) of the Act by failing to collect and remit Union dues and fees as required under the terms of a valid collective bargaining agreement and by withdrawing recognition from the Union as the collective bargaining representative of the petitioned-for employees. In that regard, I also determined that the Employer and Union were bound by the terms of a valid labor agreement effective from October 3, 2005 to October 5, 2008. The Employer and Union have since entered into a bilateral settlement agreement that remedied the meritorious unfair labor practice issues. Inasmuch as the Employer and Union were signatory to a valid collective bargaining agreement, I have determined that your petition, filed on June 8, 2007, untimely because it was not filed during the 60-90 day insulated period nor after the expiration of the contract. I am therefore dismissing your petition.

Pursuant to the National Labor Relations Board Rules and Regulations, Series 8, as amended, you may obtain a review of this action by filing a request therefor with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, Washington, D.C., 20570. A copy of such request for review must be served on the Regional Director and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons upon which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board in Washington, D.C., by the close of business on **February 6, 2008**. Upon good cause shown, however, the Board may grant special permission for a longer period within which to file. The request for

extension of time should be submitted to the Executive Secretary of the Board in Washington, D.C., and a copy of any such request for extension of time should be submitted to the Regional Director, and to each of the other parties to this proceeding.

The request for review and any request for extension of time for filing must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board. When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail.

In the Regional Office's initial correspondence, the parties were advised that the National Labor Relations Board has expanded the list of permissible documents that may be electronically filed with its offices. If a party wishes to file one of the documents which may now be filed electronically, please refer to the Attachment supplied with the Regional Office's initial correspondence for guidance in doing so. Guidance for E-filing can also be found on the National Labor Relations Board web site at www.nlrb.gov. On the home page of the website, select the **E-Gov** tab and click on **E-Filing**. Then select the NLRB office for which you wish to E-File your documents. Detailed E-Filing instructions explaining how to file the documents electronically will be displayed.

Very truly yours,

Frederick J. Calatrello
Regional Director

FJC:cjc

cc: Executive Secretary
National Labor Relations Board
Washington DC 20570

Mark O'Donnell
North Shore Commercial Door
157 E. Abbe Road
Elyria, OH 44035

Jim Neubauer
IBEW Local 1377, AFL-CIO
3121 West 33rd Street
Cleveland, OH 44109